

Exhibit "A":

E-FILED IN OFFICE - KMG
CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-05141-S5
7/24/2023 4:02 PM
TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

Vanessa Hines

David Hines

23-C-05141-S5

CIVIL ACTION
NUMBER: _____

PLAINTIFF

VS.

Hobby Lobby Stores, Inc.

Attn: Registered Agent/Corporation Service Company

2 Sun Court, Suite 400

Peachtree Corners, GA 30092

DEFENDANT

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Lee Goldstein, Esq.
Lee Goldstein Law
990 Hammond Drive, Suite 840
Atlanta, GA 30328

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20____.
25th day of July, 2023

Tiana P. Garner
Clerk of State Court


By _____

Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

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TIANA P. GARNER, CLERK

**IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

**VANESSA HINES AND DAVID M.
HINES,**

Plaintiffs,

v.

HOBBY LOBBY STORES, INC.,

Defendant.

CIVIL ACTION FILE

NO:

23-C-05141-S5

COMPLAINT FOR DAMAGES

COME NOW, VANESSA HINES and DAVID M. HINES, Plaintiffs in the above-styled action, by and through their undersigned counsel of record, and file this Complaint for Damages against Defendant, HOBBY LOBBY STORES, INC. (HLS), and upon information and belief show this Honorable Court as follows:

JURISDICTION AND VENUE

1.

Plaintiffs are residents of the State of Georgia and are each over the age of majority.

2.

Defendant, HLS, is a corporation organized and existing under the laws of the State of Oklahoma, transacting business in Gwinnett County and having its registered agent located in Gwinnett County. Defendant, HLS, is therefore subject to the jurisdiction of this Court and may be served through its registered agent for service, Corporation Service Company, 2 Sun Court, Suite 400, Peachtree Corners, GA. 30092.

3.

By virtue of the allegations stated previously, jurisdiction and venue are proper in this Court.

FACTS

4.

At all times relevant hereto, Defendant HLS, was the owner, manager and operator of the premises located at 1200 Scenic Highway, Suite A, Lawrenceville, GA. 30045 (the premises).

5.

On December 4, 2021, Plaintiff, VANESSA HINES, entered the premises as a paying customer for the purpose of purchasing Christmas ribbon and is therefore entitled to be treated as an invitee.

6

On December 4, 2021, between 1 pm and 2 pm, Plaintiff, VANESSA HINES, entered the premises and walked to the aisle containing the Christmas ribbon.

7.

When Plaintiff, VANESSA HINES, reached the aisle containing the Christmas ribbon, she observed that the ribbon was displayed on the bottom shelf.

8.

Plaintiff, VANESSA HINES, knelt to look at the Christmas ribbon on the bottom shelf. As she started to stand, a metal shelf located behind her fell directly on top of her, knocking her to the ground.

9.

At all times relevant to this action, Plaintiff, VANESSA HINES, exercised ordinary care and diligence under the circumstances then existing.

COUNT I – NEGLIGENCE

10.

Plaintiffs hereby incorporate and re-allege every allegation contained in paragraphs 1 through 9 as if fully stated herein.

11.

Defendant HLS, through its agents or employees, failed to keep its premises in repair, failed to maintain its premises in a safe condition, and failed to take proper precautions to ensure the safety of its invitees, including Plaintiff, VANESSA HINES.

12..

As a direct and proximate result of Defendant's negligence as described above, Plaintiff, VANESSA HINES, sustained serious bodily injuries to her neck and back, as well as a concussion.

13.

As a direct and proximate result of Defendant's negligence as described above, Plaintiff, VANESSA HINES, has incurred medical expenses exceeding \$150,000.00, with future medical expenses assured.

14.

As a direct and proximate result of Defendant's negligence as described above, Plaintiff, VANESSA HINES, has sustained a loss of earnings.

15.

As a direct and proximate result of Defendant's negligence as described above, Plaintiff VANESSA HINES has endured much physical pain and mental suffering.

16.

By reason of the injuries and damages resulting from the negligence of Defendant HLS Plaintiff, VANESSA HINES, is entitled to an award of compensatory and general damages in an amount to be determined at trial.

COUNT II- LOSS OF CONSORTIUM

17.

Plaintiffs, VANESSA HINES, and DAVID M. HINES, hereby incorporate and re-allege every allegation contained in paragraphs 1 through 16 as if fully stated herein.

18.

At the time of the incident complained of in Plaintiffs' Complaint, Plaintiffs were married, and Plaintiffs continue to be married.

19.

As a result of the negligent acts of Defendant HLS, Plaintiffs were caused to suffer, and will continue to suffer in the future, loss of consortium, loss of society, affection, assistance, and conjugal fellowship, all to the detriment of their mutual relationship.

WHEREFORE, Plaintiffs, VANESSA HINES, and DAVID M. HINES, respectfully pray:

- (a) That summons and process issue as provided by law
- (b) That Plaintiff, VANESSA HINES, be awarded general and special damages against Defendant, HLS, in an amount to be determined at trial

- (c) That Plaintiffs, VANESSA HINES and DAVID M. HINES, be awarded general damages for the loss of consortium, loss of society, affection, assistance, and conjugal fellowship, against Defendant, HLS, in an amount to be determined at trial
- (d) That this matter be tried before a jury; and
- (e) That Plaintiffs be awarded such other and further relief as the Court deems just and proper under the circumstances.

This 24th day of July, 2023.

LEE GOLDSTEIN LAW, P.C.

/s/Lee S. Goldstein

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Georgia State Bar No. 300437

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ROBBINS LAW, P.C.

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